

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NIKE, INC.,

Plaintiff,

V.

STOCKX LLC;

Defendant.

No. 22-CV-983-VEC

**AMENDED DECLARATION OF CHRISTOPHER S. FORD IN SUPPORT OF STOCKX  
LLC'S MOTION TO PRECLUDE THE TESTIMONY OF JOHN HANSEN,  
JEFFERY STEC, KARI KAMMEL, STEVEN MCNEW, AND ITAMAR SIMONSON**

I, Christopher S. Ford, an attorney duly admitted in the State of New York, and not a party to the above-captioned case, declare the following to be true under penalty of perjury:

1. I am counsel for StockX LLC (“StockX”) in the above-captioned case, and as such I am familiar with the facts and circumstances set forth herein.
2. I submit this declaration in support of StockX’s motion to preclude certain testimony of John Hansen, Jeffery Stec, Kari Kammel, Steven McNew, and Itamar Simonson (the “Motion”).
3. The document attached as Exhibit A is a true and correct copy of the First Amended Expert Report of John L. Hansen and the associated Attachments 1, 2.U, 3.U, 4.U, 5.U, 6.U, 7, and 8.U, dated May 30, 2023.
4. The document attached as Exhibit B is a true and correct copy of the Second Expert Rebuttal Report of John L. Hansen and the associated Attachments 3.U.U.U., 9, 10, 11, and 12 dated, July 5, 2023.

5. The document attached as Exhibit C is a true and correct copy of the excerpts of deposition transcript of John L. Hansen, dated August 31, 2023, cited in StockX's Memorandum of Law in Support of its Motion to Preclude the Testimony of John Hansen, Jeffery Stec, Kari Kammel, Steven McNew, and Itamar Simonson (ECF No. 190; "StockX's Memorandum of Law").

6. The document attached as Exhibit D is a true and correct copy of the Expert Rebuttal Report of Jeffery A. Stec and the associated Exhibits 1 and 2, dated June 2, 2023.

7. Pursuant to Individual Rule 4(C), within two business days after StockX files the reply to its Motion, StockX will provide to the Court, via a "link to a password-protected file-sharing site (*e.g.*, Sharefile)," Exhibits 3, 4.0, 4.1, 4.2, 5.0, 5.1, and 6 to the Expert Rebuttal Report of Jeffery A. Stec, which cannot be submitted as single files on ECF in readable form as they are large native Excel files. StockX will also provide complete, text-searchable copies of all deposition transcripts and expert reports submitted in support of its Motion.

8. The document attached as Exhibit E is a true and correct copy of the excerpts of the deposition transcript of Jeffery A. Stec, dated July 13, 2023, cited in StockX's Memorandum of Law.

9. The document attached as Exhibit F is a true and correct copy of the Expert Report of Kari Kammel, dated May 5, 2023.

10. The document attached as Exhibit G is a true and correct copy of the Expert Rebuttal Report of Kari Kammel, dated June 2, 2023.

11. The document attached as Exhibit H is a true and correct copy of the excerpts of the deposition transcript of Kari Kammel, dated July 18, 2023, cited in StockX's Memorandum of Law.

12. The document attached as Exhibit I is a true and correct copy of the Expert Report of Steven S. McNew, dated May 5, 2023.

13. The document attached as Exhibit J is a true and correct copy of the Expert Rebuttal Report of Steven S. McNew, dated June 2, 2023.

14. The document attached as Exhibit K is a true and correct copy of the excerpts of the deposition transcript of Steven McNew, dated August 8, 2023, cited in StockX's Memorandum of Law.

15. The document attached as Exhibit L is a true and correct copy of the Expert Report of Itamar Simonson and the associated Appendices A, B, C, D, E, E1, E2, E3, E4, E5, E6, E7, E8, E9, F, G, G1, G1, G3, I, J, M, N, P1, and P2, dated May 5, 2023.

16. Pursuant to Individual Rule 4(C) and within two business days after StockX files the reply to its Motion, StockX will provide to the Court, via a "link to a password-protected file-sharing site (*e.g.*, Sharefile)," Appendices H, K, L, and O to the Expert Report of Itamar Simonson, which cannot be submitted as single files on ECF in readable form as they are large native Excel files.

17. The document attached as Exhibit M is a true and correct copy of the Expert Rebuttal Report of Itamar Simonson, dated June 2, 2023.

18. The document attached as Exhibit N is a true and correct copy of the excerpts of the deposition transcript of Itamar Simonson, dated July 25, 2023, cited in StockX's Memorandum of Law.

19. The document attached as Exhibit O is a true and correct copy of the Expert Report of Robert L. Vigil, dated May 5, 2023.

20. The document attached as Exhibit P is a true and correct copy of the article, *The Cues in the Consumer Product Authentication Process*, from Michigan State University's Center for Anti-Counterfeiting and Product Protection, which was obtained at my direction from <<https://a-capp.msu.edu/article/the-use-of-cues-in-the-consumer-product-authentication-process/>>.
21. The document attached as Exhibit Q is a true and correct copy of the Expert Report of Catherine Tucker, dated May 5, 2023.
22. The document attached as Exhibit R is a true and correct copy of the Expert Report of Steven S. McNew in *Fabian v. Nano*, No. 19-cv-0054, filed on Feb. 26, 2021, in the United States District Court for the Northern District of California.
23. The document attached as Exhibit S is a true and correct copy of the Expert Report of Itamar Simonson in *Mary Kay v. Weber*, 2009 WL 361055, filed on January 5, 2009, in the United States District Court for the Northern District of Texas.
24. The document attached as Exhibit T is a true and correct copy of the Expert Rebuttal Report of David Neal, dated June 2, 2023.

Dated: October 17, 2023

/s/ Christopher S. Ford  
Christopher S. Ford